

## Message Text

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ACTION EUR-12

INFO OCT-01 IO-04 ACDA-05 ISO-00 CIAE-00 PM-03 H-01 INR-05

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CCO-00 /070 W

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R 311800Z OCT 74

FM USMISSION NATO

TO SECSTATE WASHDC 8539

SECDEF WASHDC

INFO USDEL SALT TWO GENEVA

USDEL MBFR GENEVA

USMISSION GENEVA

USNMR SHAPE

USCINCEUR

USLOSACLANT

USDOCOSOUTH

CINCLANT

S E C R E T SECTION 1 OF 2 USNATO 6082

E.O. 11652: GDS

TAGS: PFOR, PARM

SUBJECT: CSCE: CBM'S -EXCHANGE OF OBSERVERS AT MILITARY MANEUVERS

GENEVA FOR CSCE DEL

REF: USNATO 5929

MISSION TRANSMITS HERewith IS PAPER SUMMARIZING POLADS DISCUSSIONS TO DATE ON EXCHANGE OF OBSERVERS AT MILITARY MANEUVERS. IS PAPER, WHICH WAS CIRCULATED TOO LATE TO PERMIT SUBSTANTIVE DISCUSSION AT OCTOBER 29 POLADS, WILL BE SUBJECT OF DISCUSSION AT NEXT POLADS MEETING ON NOV. 12. MISSION WILL TRANSMIT COMMENTS ON OCTOBER 29 POLADS MEETING VIA SEPTTEL. ACTION REQUEST:

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DEPARTMENT'S COMMENTS ON IS PAPER IN TIME FOR NOVEMBER 12 POLADS MEETING.

BEGIN TEXT

CSCE CONFIDENCE BUILDING MEASURES: MODALITIES OF AN  
EXCHANGE OF OBSERVERS AT MILITARY MANOEUVRES

SOME DELEGATIONS BELIEVE THAT A CERTAIN DEGREE OF  
INTRA-ALLIANCE CO-ORDINATION WOULD BE DESIRABLE ON THE  
MODALITIES OF ANY EXCHANGE OF OBSERVERS WHICH MAY BE AGREED TO  
IN THE CSCE CONTEXT. THE FOLLOWING IS A LIST OF QUESTIONS ON  
WHICH SUCH CO-ORDINATION MIGHT BE DESIRABLE, ALONG WITH COMMENTS  
MADE THUS FAR BY DELEGATIONS AND THE MILITARY COMMITTEE.

1. TYPES OF MANOEUVRES TO WHICH OBSERVERS SHOULD BE INVITED

(A) NATO MULTINATIONAL MANOEUVRES

- SOME DELEGATIONS FAVOUR INVITING OBSERVERS.

- MILITARY COMMITTEE POINTS OUT THAT CO-ORDINATION  
WITHIN NATO (PROBABLY BY MAJOR SUBORDINATE  
COMMANDERS) WOULD BE NECESSARY AT LEAST  
REGIONALLY TO EXAMINE PERIODICALLY WHICH OF THESE  
MANOEUVRES SHOULD BE OPEN TO OBSERVERS.

(B) NON-NATO MULTINATIONAL MANOEUVRES

- SOME DELEGATIONS FAVOUR INVITING OBSERVERS.

- NATO COMMANDERS WOULD HAVE NO ROLE.

(C) NATIONAL MANOEUVRES ON FOREIGN TERRITORY

- SOME DELEGATIONS FAVOUR INVITING OBSERVERS.

(D) NATIONAL MANOEUVRES ON NATIONAL TERRITORY

- SOME DELEGATIONS AND MILITARY COMMITTEE BELIEVE  
DECISION OF WHETHER TO INVITE OBSERVERS TO  
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THESE MANOEUVRES MIGHT BEST BE LEFT TO THE  
DISCRETION OF THE NATIONS CONCERNED.

- SOME DELEGATIONS FAVOUR INVITING OBSERVERS.

2. SIZE OF MANOEUVRES TO WHICH OBSERVERS SHOULD BE INVITED

INVITATION ONLY TO MANOEUVRES OF SIZE SUBJECT TO PRIOR  
NOTIFICATION UNDER CBM ARRANGEMENTS.

- ONE DELEGATION FAVOURS THIS AS A PRINCIPLE, BUT  
BELIEVES THAT INDIVIDUAL STATES SHOULD BE FREE  
TO INVITE OBSERVERS TO MANOEUVRES OF A SMALLER  
SCALE IF THEY SO CHOOSE.

- SEVERAL DELEGATIONS AND THE MILITARY COMMITTEE

WOULD PREFER TO AVOID ANY AUTOMATIC CONNECTION BETWEEN SIZE OF MANOEUVRES SUBJECT TO PRIOR NOTIFICATION AND SIZE OF MANOEUVRES SUITABLE FOR EXCHANGE OF OBSERVERS. SPECIFICALLY, THEY OPPOSE LIMITING EXCHANGE OF OBSERVERS TO MANOEUVRES SUBJECT TO PRIOR NOTIFICATION.

NOTE: THE MILITARY COMMITTEE POINTS OUT THAT INVITATION OF OBSERVERS TO SMALLER SCALE MANOEUVRES WOULD BE EQUIVALENT TO NOTIFICATION, SINCE IT WOULD REQUIRE A BRIEFING OF THE OBSERVERS ON THE PURPOSE AND EXTENT OF SUCH MANOEUVRES.

### 3. RIGHT TO ISSUE INVITATIONS

(A) FOR NATIONAL MANOEUVRES ON NATIONAL TERRITORY:

- STATE HOLDING MANOEUVRE WOULD INVITE.

(B) FOR NATIONAL OR MULTINATIONAL MANOEUVRES ON FOREIGN TERRITORY, THERE ARE THE FOLLOWING OPTIONS:

(I) STATE ON WHOSE TERRITORY MANOEUVRE TAKES PLACE AND STATE OR STATES HOLDING MANOEUVRE TOGETHER ISSUE THE INVITATION.

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- ONE DELEGATION FAVOURS THIS OPTION; ONE OTHER COULD SUPPORT IT.

(II) STATE ON WHOSE TERRITORY MANOEUVRE TAKES PLACE GIVES ITS APPROVAL TO STATE OR STATES HOLDING THE MANOEUVRE. LATTER STATE OR STATES THEN ISSUE INVITATION, WHICH COULD CONTAIN MENTION OF APPROVAL OF HOST STATE.

- TWO DELEGATIONS FAVOUR THIS OPTION.

(III) STATE ON WHOSE TERRITORY THE MANOEUVRE TAKES PLACE ISSUES INVITATION AFTER CONSULTATION WITH STATE OR STATES HOLDING MANOEUVRE.

- ONE DELEGATION FAVORS THIS OPTION.

NOTE: SOME DELEGATIONS ARE OPEN-MINDED REGARDING THE THREE OPTIONS ABOVE.

### 4. WHOM TO INVITE.

DECISION IS LEFT TO INVITING STATE, ACCORDING TO THE

GENEVA TEXT OF 20TH JULY, 1974. (HOWEVER, THIS DISCRETION IS LIMITED IN THAT INVITATIONS SHOULD BE ISSUED "IN A SPIRIT OF

RECIPROCITY AND GOOD WILL TOWARDS ALL PARTICIPATING STATES".)

- ONE DELEGATION BELIEVES THERE SHOULD BE INTRAW ALLIANCE CO-ORDINATION IN EACH CASE ON WHO SHOULD BE INVITED, ALTHOUGH IT AGREES THAT, IN PRINCIPLE, THE DECISION ON WHOM TO INVITE IS UP TO THE INVITING STATE.

- ONE DELEGATION SUGGESTS THAT THE WORDING OF THE GENEVA TEXT MENTIONED ABOVE SHOULD IDEALLY READ "... TOWARDS ALL PARTICIPATING STATES INCLUDING NEIGHBOURING STATES, IN PARTICULAR". TWO DELEGATIONS DISAGREE; THEY FEEL THAT STRESSING THE NEED TO INVITE NEIGHBOURING STATES MIGHT DILUTE THE PRINCIPLE, SET OUT IN THE GENEVA COMPROMISE FORMULA.

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- THE MILITARY COMMITTEE BELIEVES IT IS NOT CLEAR FROM THE GENEVA TEXT WHETHER A PARTICIPATING STATE WOULD FEEL BOUND, IN EVERY CASE, TO INVITE ALL PARTICIPATING STATES.

##### 5. MANNER OF ISSUANCE OF INVITATIONS

ON BILATERAL BASIS AND THROUGH DIPLOMATIC CHANNELS, AS PROVIDED BY GENEVA TEXT. AS TO MODALITIES, INVITATIONS COULD BE SENT:

(A) THROUGH THE EMBASSIES OF THE STATES TO BE INVITED. FAVOURED BY SOME DELEGATIONS; QUESTIONED BY ONE.

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(B) IN BUNDLES ON WESTERN SIDE IN THE CASE OF MULTINATIONAL  
MANOEUVRES, THUS AVOIDING PARALLEL AND CROSSING INVITATIONS.  
FAVOURED BY SOME DELEGATIONS; QUESTIONED BY ONE.

6. NUMBER OF OBSERVERS TO BE INVITED FROM EACH STATE

IN FINAL ANALYSIS, INVITING STATE WOULD DETERMINE THE  
NUMBER, AS STIPULATED IN THE GENEVA TEXT.

(A) ONE OBSERVER ONLY. SOME DELEGATIONS FELT THAT SUCH A SEVERE  
LIMITATION WAS UNREALISTIC.

(B) "UP TO TWO OBSERVERS", EACH ENTITLED TO ONE STAFF AIDE.  
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FAVOURED BY ONE DELEGATION.

(C) VERY LIMITED NUMBER OF OBSERVERS. FAVOURED BY SEVERAL  
DELEGATIONS WITHOUT SPECIFYING FIGURES.

(D) COMPLETE FLEXIBILITY. NUMBER TO BE DETERMINED IN LIGHT OF  
CIRCUMSTANCE. FAVOURED BY ONE DELEGATION.

7. PROCEDURES FOR REJECTING AN OBSERVER

(A) CLAUSE IN INVITATIONS STATING THAT NAMES OF OBSERVERS MUST  
BE NOTIFIED TO INVITING STATE BEFOREHAND.

-FAVOURED BY TWO DELEGATIONS. NAMES SHOULD BE NOTIFIED  
"IN TIME" FOR POSSIBLE OBJECTIONS TO BE MADE KNOWN.  
MILITARY COMMITTEE FAVOURS SUBMISSION OF NAMES AND  
OTHER IDENTIFYING DATA NO LATER THAN 20 DAYS PRIOR TO  
START OF MANOEUVRE.

(B) PROCEDURE FOR REJECTING AN OBSERVER DURING A MANOEUVRE.

- FAVOURED BY TWO DELEGATIONS.

8. STATUS OF OBSERVERS

(A) IF REGULAR MILITARY ATTACHES AND/OR ASSISTANT MILITARY  
ATTACHES WERE ASSIGNED AS OBSERVERS, THE VIENNA CONVENTION  
ON DIPLOMATIC RELATIONS WOULD APPLY (OPERATIVE PORTION:

ARTICLE 7, SENTENCE2). THEY WOULD BE CARRIED IN THE DIPLOMATIC LIST, AND PRIVILEGES AND IMMUNITIES WOULD NOT HAVE TO BE SPECIALLY GRANTED.

- SEVERAL DELEGATIONS GENERALLY PREFER USING AND INVITING REGULARLY ACCREDITED MILITARY ATTACHES AS OBSERVERS.

(B) IF OBSERVERS WERE REGISTERED AS MILITARY ATTACHES AND/OR ASSISTANT MILITARY ATTACHES (A ACCEPTED AS SUCH BY THE HOST COUNTRY), THE RESULT WOULD BE AS IN (A) ABOVE.

- ONE DELEGATION SUPPORTS THIS PROCEDURE. TWO  
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OPPOSE IT.

(C) IF THE OBSERVERS WERE NOT REGISTERED AS MILITARY ATTACHES AND/OR ASSISTANT MILITARY ATTACHES BUT SIMPLY ASSIGNED FOR THE PURPOSE OF OBSERVING THE SPECIFIC MANOEUVRE, THE QUESTION OF THEIR RIGHTS, PRIVILEGES AND IMMUNITIES WOULD ARISE.

#### 9. RIGHTS, PRIVILEGES AND IMMUNITIES OF OBSERVERS

REGARDLESS OF THE EXACT STATUS OF THE OBSERVERS, STEPS SHOULD BE TAKEN TO ENSURE A MINIMUM SET OF RIGHTS, PRIVILEGES AND IMMUNITIES. THESE MIGHT INCLUDE:

(A) FREEDOM OF CHOICE OF MEANS OF LAND TRANSPORTATION INTO AND WITHIN MANOEUVRE AREA (OWN MOTOR VEHICLE OR MOTOR VEHICLE MADE AVAILABLE).

- ONE DELEGATION BELIEVES MOTOR VEHICLES SHOULD BE PROVIDED BY HOST COUNTRY. ANOTHER BELIEVES OBSERVERS SHOULD NOT BE WHOLLY DEPENDENT ON TRANSPORTATION PROVIDED BY HOST COUNTRY.

(B) RELATIVE FREEDOM OF MOVEMENT IN MANOEUVRE AREA (HOWEVER, INSPECTION OF MILITARY INSTALLATIONS OR EQUIPMENT WOULD BE ONLY ON SPECIAL INVITATION AND OBSERVERS WOULD BE ACCOMPANIED BY AN EXCORT).

- SOME DELEGATIONS BELIEVE OBSERVERS SHOULD BE ESCORTED AT ALL TIMES DURING MANOEUVRES BY HOST COUNTRY LIAISON OFFICERS.

(C) AUTHORITY TO CARRY OWN PHOTOGRAPHIC AND OPTICAL EQUIPMENT.

(D) POSSIBILITY OF COMMUNICATION WITH OWN EMBASSY.

- ONE DELEGATION STRESSES THAT MEANS OF COMMUNICA-

TION WITH OWN EMBASSY SHOULD NOT BE IN HANDS OF  
HOST COUNTRY.

(E) EXEMPTION FROM ARREST, CONFINEMENT, AND SEARCH, AND FROM  
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CONFISCATION OF EFFECTS IN OBSERVERS' POSSESSION DURING  
THEIR STAY IN THE HOST COUNTRY FOR THE SPECIAL PURPOSE.

(F) RIGHT TO COMMUNICATE VIA COURIER OR RADIO.

- ONE DELEGATION FEELS THIS IS UNNECESSARY. SOME  
OTHER DISAGREE.

(G) RIGHT TO BE ADEQUATELY BRIEFED ON THE MANOEUVRE.

(H) RIGHT TO BE PROVIDED WITH SUITABLE LODGING, MEALS AND  
MEDICAL SERVICES BY THE INVITING COUNTRY.

NOTES: EACH OF (A) THROUGH (H) ABOVE WAS SUPPORTED BY SOME  
DELEGATIONS AND BY THE MILITARY COMMITTEE. ONE  
DELEGATION HAD NO OBJECTIONS TO ABOVE LIST IN  
PRINCIPLE, BUT FELT THAT SUCH A HIGH DEGREE OF  
PRECISION WAS UNNECESSARY AND THAT THE MODALITIES  
WOULD TEND TO EVOLVE OF THEIR OWN DYNAMIC.

ON DELEGATION FAVOURED THE ABOVE LIST, BUT ONLY ON  
CONDITION THAT THERE BE STRICT RECIPROCITY.

ONE DELEGATION STRESSED THAT ANY NEW FORMAL AGREEMENTS  
ON RIGHTS, PRIVILEGES AND IMMUNITIES SHOULD BE AVOIDED.

10. POSSIBLE SYNCHRONISATION BETWEEN PROCEDURES FOR OBSERVER  
EXCHANGE AS A CBM IN CSCE CONTEXT AND OBSERVER EXCHANGE  
AS A STABILISING MEASURE IN MBFR CONTEXT

IT IS FORESEEN THAT WARSAW PACT OBSERVERS WOULD BE  
INVITED TO WESTERN MANOEUVRES UNDER BOTH CSCE AND MBFR ARRANGE-  
MENTS. THE QUESTION THEREFORE ARISES AS TO WHETHER SOME  
SYNCHRONISATION OF PROCEDURES APPLYING TO OBSERVER EXCHANGE  
IN THE TWO CONTEXTS MIGHT BE NECESSARY.

- ON DELEGATION DOUBTS THAT SYNCHRONISATION  
WOULD BE NECESSARY SINCE THE FUNCTIONS OF  
OBSERVERS IN MBFR WOULD BE DIFFERENT FROM  
THOSE OF OBSERVERS IN CSCE.

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11. PROCEDURES FOR INTRA-ALLIANCE STUDY OF MODALITIES

OF OBSERVERS EXCHANGE IN CSCE CONTEXT

-THERE IS A CLEAR CONSENSUS AMONG DELEGATIONS THAT ANY EAST-WEST AGREEMENT ON MODALITIES SHOULD BE AVOIDED, AND SPECIFICALLY THAT THERE SHOULD BE NO RE-OPENING OR AMPLIFICATION OF THE CSCE TEXT AGREED IN GENEVA IN JULY.

- IN ADDITION, THERE WAS A CONSENSUS THAT ANY POSSIBLE UNDERSTANDINGS REACHED AMONG ALLIES AND ANY DOCUMENT OR DOCUMENTS PRODUCED ON THIS ISSUE SHOULD BE KEPT STRICTLY WITHIN THE ALLIANCE.

- ONE DELEGATION BELIEVED THAT ANY COMMON GUIDELINES AND PRACTICES AGREED TO WITHIN THE ALLIANCE SHOULD APPLY ONLY TO THE EXCHANGE OF OBSERVERS AT MULTINATIONAL MANOEUVRES. THE DELEGATION FELT THAT THE GUIDELINES SHOULD REMAIN FLEXIBLE TO TAKE INTO ACCOUNT EASTERN PRACTICES AS THEY DEVELOP.

- ONE DELEGATION QUESTIONED THE UTILITY OF ANY FORMALLY AGREED GUIDELINES. IT FELT THAT THE IMS WOULD HAVE TO COMPLETE MORE THOROUGH STUDIES BEFORE A DECISION COULD BE TAKEN ON WHETHER AND TO WHAT EXTENT AGREED GUIDELINES WOULD BE NECESSARY AND/OR USEFUL.

- ANOTHER DELEGATION OPPOSED ELABORATING ANY AGREED NATO DOCUMENT ON THE MODALITIES OF OBSERVER EXCHANGE.  
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